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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

ROLANDO CALDERON,

Defendant and Appellant.

B294910

(Los Angeles County
Super. Ct. No. PA033836)

APPEAL from a judgment of the Superior Court of Los Angeles County, Hayden Zacky, Judge. Affirmed.

Jeralyn Keller, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

In 2001, a jury found defendant Ronaldo Calderon guilty of two counts of attempted murder (Pen. Code, § 664/187, subd. (a)), and also found gang and firearms enhancements to be true (Pen. Code, §§ 186.22, subd. (b)(1), 12022.53, subds. (d),

(e)(1)). (*People v. Calderon* (Mar. 6, 2003, B157399 [nonpub. opn.]) “The trial court sentenced defendant to two consecutive life terms with 15-year minimum parole eligibility dates, consecutive to 25 years to life, consecutive to 20 years.” (*Id.*). On March 6, 2003, a prior panel of this court affirmed the conviction and sentence. (*Id.*)

On January 1, 2018, Senate Bill No. 620 became effective. It permits the trial court, in the interest of justice, to strike or dismiss a sentencing enhancement under Penal Code section 12022.53.

On November 28, 2018¹, defendant filed a motion to strike or dismiss his sentencing enhancements pursuant to Penal Code section 654 and Senate Bill No. 620. That same date, the trial court denied the motion, reasoning that defendant’s sentence was final at the time Senate Bill No. 620 became effective and defendant was thus not entitled to relief. The court added that even if it had discretion to strike the firearms enhancements imposed, it would decline to do so based on the nature and severity of the offenses.

We appointed counsel to represent defendant on appeal. Defendant’s appointed appellate counsel filed an opening brief in accordance with *People v. Wende* (1979) 25 Cal.3d 436 requesting that we independently review the entire record to determine if there are any arguable issues. On March 21, 2019, we notified defendant that appointed appellate counsel had failed to find any arguable issues and that he had 30 days within which to independently brief any grounds for appeal, contentions, or

¹ The file stamp incorrectly notes the date of filing as November 28, 2019.

arguments he wanted us to consider. Defendant did not file a supplemental brief. Instead, on April 10, 2019, defendant filed a motion to appoint new appellate counsel, which motion we denied on April 16, 2019.

We have reviewed the record and are satisfied that defendant's appointed appellate counsel has fully complied with her responsibilities and no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.
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KIM, J.

We concur:

RUBIN, P.J.

MOOR, J.